

CITY COMMISSION MINUTES

October 19, 2010

7:00p.m.

The regular meeting of the Junction City City Commission was held on Tuesday, October 19, 2010 with Mayor Mike Rhodes presiding.

The following members of the Commission were present: Terry Heldstab, Scott Johnson, Mike Rhodes, Ken Talley, and Jack Taylor. Staff present was: City Manager Gerry Vernon, City Attorney Catherine Logan, and City Clerk Tyler Ficken.

PUBLIC COMMENT

Ron Strauss of 1613 Spring valley Rd. stated that there are problems with the maintenance of the road leading to his property across Interstate from Wal-mart. He stated that he wanted the Industrial Park farm lease and take care of the road. He stated that he brought the issue as it related to the farm lease issue to the EDC where there was a 9-0 vote. He stated that he was given permission to add rock to the road; a contractor he was working with refused to drive on the road in the condition that it was in. He stated that his bid on the farm lease provided the most net gain for the City. He stated that the City is responsible for taking care of the road; there has been an unlocked gate installed. Mr. Strauss stated that he and his family members were never told by KDOT not to take care of the road. He stated that he would like to see the rock from Price Gregory pipeline company be used on this road for maintenance; He could transport the rock and the City could then blade the rock. Mr. Strauss stated that he would like \$4,855.00 taken off of his December farm rent payment because this is what he spent on the road. City Manager Vernon stated that Cheryl Beatty drafted a letter to KDOT that outlined the expectations for the maintenance of the road; the City has not heard back yet. City Manager Vernon stated that the City will work with KDOT to verify that the road is a low maintenance road; it was stated to Mr. Strauss that the road would be maintained at a low level. Commissioner Johnson stated that the City should spend the amount of money on the road that KDOT provides; he would like to know what that figure is. Mayor Rhodes said that the City should wait for information from KDOT. Commissioner Heldstab stated that Mr. Strauss could work with KDOT and provide a proposal to the City. City Attorney Logan stated that according to Cheryl Beatty, it is the desire of KDOT to not have individuals maintain roads. Commissioner Johnson stated that it takes time to get what you want from KDOT. Mr. Strauss stated that he provided a bill to the City but received a letter from Mr. Vernon that denied the payment. Mayor Rhodes stated that the City will wait to hear from KDOT.

CONSENT AGENDA

The consideration and approval of **Appropriation Ordinance A-20-2010** dated September 30, 2010 to October 13, 2010 in the amount of \$371,454.61. Commissioner Taylor moved, seconded by Commissioner Johnson to approve the Consent Agenda. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

Approval of the **October 5, 2010** City Commission Meeting Minutes. Commissioner Taylor moved, seconded by Commissioner Johnson to approve the Consent Agenda. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

Monthly Reports:

1. Rolling Meadows
2. Police Department
3. Fire Department
4. EMS

The consideration and approval of Pay Estimate #3 in the amount of \$57,427.17 to Clarke Well & Equipment, Inc. for construction of Water Supply Well No. 18; the project is 89.15% complete as of this pay estimate. Commissioner Taylor moved, seconded by Commissioner Johnson to approve the Consent Agenda. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

SPECIAL PRESENTATIONS

Officer Wigton will presented certificate/award to the yard of the month winner.

PUBLIC HEARING

UNFINISHED BUSINESS

The consideration and approval of Ordinance **G-1082** updating City Code regarding the Junction City/Geary County Animal Shelter. **(Final Reading)** Commissioner Talley moved, seconded by Commissioner Johnson to approve G-1082 on final reading. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of Ordinance **S-3086** a request to rezone the property at 416 W. Spruce from "RD" Duplex Residential to "PDD" Planned Development District. **David Yearout Presenting (Final Reading)** Commissioner Heldstab moved, seconded by Commissioner Talley to approve S-3086 on final reading. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of the Final Plat of the Ziegler Addition, a replat of the former Good Samaritan property. **David Yearout Presenting** Commissioner Talley moved, seconded by Commissioner Johnson to approve the Final Plat of the Ziegler Addition, a replat of the former Good Samaritan property. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of Ordinance **S-3087** a request to rezone the property at the northwest corner of Webster St and Pine St. from "RG" General Residential to "RD" Duplex Residential. **David Yearout Presenting (Final Reading)**. Mayor Rhodes asked how the alley easement would be done. David Yearout stated that the building over the alley was allowed provided that the sewer line under the alley was cast iron; he worked with Veolia to make sure that was indeed the type of pipe in place.

Commissioner Johnson moved, seconded by Commissioner Talley to approve S-3087 on final reading. Ayes: Heldstab, Johnson, Talley, Taylor. Nays: Rhodes. Motion carried.

NEW BUSINESS

The consideration and approval of a letter of interest with Schneider Electric for Energy Audit of City Buildings and Facilities to save Energy and Funds. Megan Berry of Schneider Electric presented **Exhibit A** to the Commission. Commissioner Johnson asked if the City would be financially obligated in any way if the City signs the letter. Mrs. Berry stated that the City would not be financially obligated at this point in the process; she provided a copy of the preliminary letter of interest that stated that fact. City Attorney Logan confirmed the fact. Commissioner Heldstab moved, seconded by Commissioner Johnson to approve a letter of interest with Schneider Electric for Energy Audit of City Buildings and Facilities to save Energy and Funds. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of **R-2632** authorizing a contract amendment with Grandview Plaza to increase the maximum amount of water Junction City will supply and to increase Grandview Plaza's water rate to a 15% premium for all water supplied after July 1, 2011. **(City Manager Vernon Presenting)**. City Manager Vernon stated that people who decide to live in the region have a number of choices where to live; rural or urban, and to rent or buy a home. He stated that he recognizes this item presents a difficult choice for the Commission. City Manager Vernon stated that an increase in population to Grandview Plaza would likely increase sales tax revenues for the City; franchise businesses may be attracted to the area. Commissioner Johnson stated that people think it is wrong to deny water to Grandview Plaza; he asked if there is enough water for future City projects. City Manager Vernon stated that there is an adequate supply. Commissioner Johnson asked if there will be a need for more wells in the near future. Ronaldo Gonzales of Burns & McDonnell stated that the well field is adequate for additional water rights in the future, and facilities are adequate until 2026. Commissioner Heldstab asked if there would be enough water if the City's 1,500 lots were built. Mr. Gonzales stated that the City is prepared for 30,000 people. Commissioner Johnson asked if the City would receive \$15,000.00 per year in additional funds. City Manager Vernon confirmed the amount. Commissioner Johnson asked how many units would be added to Grandview Plaza. Jerome Thomas stated that there is planned to be 20 buildings with 36 units each. Commissioner Taylor asked if there would be additional costs for the City to provide the water. City Manager Vernon stated that there would be additional chemical costs. Commissioner Johnson stated that he can see how approximately 1,400 additional people in Grandview Plaza could help Junction City. City Attorney Logan stated that the current contract addresses instances of water shortage issues. Commissioner Rhodes asked if there would be additional maintenance costs. Commissioner Talley stated that the water plant is an old facility. Mr. Gonzales stated that the additional flow would not be substantial for the system. City Manager Vernon stated that the addition of 1,400 people to the region would help local businesses and increase sales tax revenues. Mayor Rhodes asked if there would be a shortage of water in the event of fires in Junction City and Grandview Plaza. Mr. Gonzales stated that the water supply would last for three hours in that instance; storage in Grandview Plaza would improve the situation. Jerome Thomas stated that

Grandview Plaza paid approximately \$12,500.00 per month for water; approximately \$150,000.00 per year. Commissioner Taylor asked if there would be additional services that the City could provide. City Manager Vernon stated that additional services such as sewer would be the next step. Commissioner Johnson asked if the surplus funds from this sale could be put into a fund for future improvements. City Manager Vernon stated that as the number of people receiving this water service increases, regulatory costs will decrease for all. Commissioner Johnson stated that he is worried that water increase charges for City residents will not be shared in Grandview Plaza. City Attorney Logan stated that increases in Grandview Plaza would be tied to CPI. Commissioner Taylor asked how long the contract is good for. City Attorney Logan stated that the City is in the 21st year of a 40 year contract. Commissioner Heldstab stated that he is surprised that the increase will bring in only an additional \$15,000.00 per year; it will also be difficult on landlords in the community. Commissioner Talley stated that this development could go further away in the region. Commissioner Taylor agreed with Commissioner Talley on that point. City Manager Vernon stated that rental housing will be impacted by the business cycle. Commissioner Taylor stated that affordable housing is needed. Mayor Rhodes stated that housing in all price ranges is needed. Commissioner Heldstab stated that he would like to compromise with a development that is smaller. Commissioner Talley stated that Grandview Plaza is a good neighbor. Commissioner Taylor stated that Grandview Plaza residents do shop in Junction City. Commissioner Johnson moved, seconded by Commissioner Taylor to approve R-2632 authorizing the contract amendment with Grandview Plaza. Ayes: Johnson, Rhodes, Talley, Taylor. Nays: Heldstab. Motion carried.

COMMISSIONER COMMENTS

Mayor Rhodes asked if there will be an update on Franklin School. City Manager Vernon stated that he is working with the City Engineer Tom Neal, and is working on final approvals. Mayor Rhodes stated that the animal shelter board discussed the issue of a dog tether ordinance; there are issues with people who live in apartments; the shelter could potentially receive even more animals if restrictions are increased.

STAFF COMMENTS

City Manager Vernon has been working on the East Ash Agreement; the project needs to be finalized. City Manager Vernon stated that a Work Session is needed. The Commission decided to meet for the purpose of a Work Session on Friday October 22nd at 11:30 AM.

EXECUTIVE SESSION

A session to discuss legal issues of attorney client privilege to include the City Commission, City Manager Vernon, and City Attorney Logan. Commissioner Talley moved, seconded by Commissioner Heldstab to adjourn into executive session at 8:45 PM for a time not to exceed 15 minutes to discuss issues of attorney client privilege. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried. Commissioner Heldstab moved, seconded by Commissioner Talley to reconvene into regular session at 9:00 PM having made no decisions not taken any action while in

executive session. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

ADJOURNMENT

Commissioner Johnson moved, seconded by Commissioner Talley to adjourn at 9:15 PM
Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: None. Motion Carried.

APPROVED AND ACCEPTED THIS 2nd DAY OF NOVEMBER 2010 AS THE OFFICIAL COPY
OF THE JUNCTION CITY CITY COMMISSION MINUTES FOR OCTOBER 19, 2010.



Tyler Ficken, City Clerk

Mike Rhodes, Vice Mayor